

Filed for intro on 02/04/98
HOUSE BILL 2374 By
Scroggs

SENATE BILL 3184
By Leatherwood

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 6, relative to insurance agents and representatives.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 6, Part 1, is amended by adding the following as a new section thereto:

Section _____. (a) Any person licensed as an insurance agent or a limited insurance representative who has knowledge of any illegal or unethical conduct by an insurance agent or a limited insurance representative shall report such information within ten (10) days to the commissioner. Failure to report such information within ten (10) days is a Class C misdemeanor.

(b) Any person reporting under the provisions of this section shall have a civil cause of action against any person or employer who causes a disciplinary or retaliatory action or threat of a disciplinary action or retaliatory action against the reporting person. A claimant filing an action pursuant to this section may seek appropriate injunctive relief or damages for each violation of this section.

(c) A court, in rendering a judgment over a disciplinary or retaliatory action against a person reporting pursuant to this section, shall order, as the court considers appropriate, reinstatement, payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. A court

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may also award the complainant all or a portion of the costs of litigation, including reasonable attorney fees.

SECTION 2. Tennessee Code Annotated, Section 56-6-155(a), is amended by adding the following as a new item thereto:

() Failure to report to the commissioner any illegal or unethical conduct by an insurance agent or a limited insurance representative;

SECTION 3. This act shall take effect July 1, 1998, the public welfare requiring it.